Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554 FILE COPY ORIGINAL

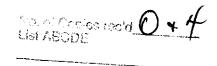
		TE COPY UNIGNAL
In the Matter of)	
Amendment of Section 73.622(b),)	MM Docket No. 04-184
Table of Allotments,)	RM-10968
Digital Television Broadcast Stations)	
(Norwich, Connecticut))	RECEIVED
To: Marlene Dortch, Secretary Federal Communications Commission	ľ	SEP 1 2 2005

ATTN: Chief, Video Division

Federal Communications Commission
Office of Secretary

MOTION TO DISMISS "SUPPLEMENT TO OBJECTION"

Connecticut Public Broadcasting, Inc. ("CPBI"), by counsel, requests dismissal with prejudice of a document entitled "Supplement to Objection" (Supplement) filed in the captioned docket by American Broadcasting Companies, Inc. (ABC) on September 2, 2005. ABC has not previously participated in this proceeding. Comments were due July 6, 2004, and reply comments on July 14, 2004. ABC has failed as required by Section 1.415(d) of the Commission's rules to file a separate motion for acceptance of the late filling, nor has it in any way explained the late filling. ABC does not in the Supplement take a position on the proposal to substitute DTV Channel *9 for DTV Channel *45 at Norwich, Connecticut, which is the subject matter of the proceeding. To the extent the filing of an extraneous pleading in the docket might further delay the Commission's decision, now pending for over a year, it would be prejudicial and unfair to CPBI for the Commission to accept ABC's "Supplement to Objection" in this docket.



Accordingly, CPBI respectfully requests dismissal of the "Supplement to Objection" with prejudice. ¹

Respectfully submitted,

CONNECTICUT PUBLIC BROADCASTING, INC.

Steven C Schaffer

SCHWARTZ, WOODS & MILLER 1233 20th Street, N.W. Suite 610 Washington, D.C. 20036-7322

Telephone: 202-833-1700 Facsimile: 202-833-2351

Its Attorneys

September 12, 2005

¹The Supplement also addresses issues raised previously by ABC in its January 15, 2004 informal objection to pending applications for a proposed exchange of DTV channels between CPBI's Station WEDH, Hartford, Connecticut and Station WEDN, Norwich, Connecticut (FCC Files No. BPEDT-19990113KG and BMPEDT-20031008AAT). Because the ABC objection to the use of Channel 45 at Hartford is informal, Section 73.3587 of the Commission's rules indicates that ordinary timing contained in Section 1.45 does not control. CPBI's consulting engineer is reviewing the Supplement, and CPBI plans to file a Response to the Supplement within the next few days. Out of an abundance of caution, all parties to both the rulemaking and applications proceedings are being served with a copy of this Motion to Dismiss.

CERTIFICATE OF SERVICE

I, Mary Kay McMahon, Secretary in the law offices of Schwartz, Woods & Miller, do hereby certify that I have on this 12th day of September, 2005, sent by First Class United States mail, postage prepaid, copies of the foregoing **MOTION TO DISMISS** to

Mark J. Prak, Esq. Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.P. Wachovia Capitol Center, Suite 1600 150 Fayetteville Street Mall (27601) Post Office Box 1800 Raleigh, NC 27602

Susan L. Fox, Esq. Vice President, Government Relations The Walt Disney Company 1150 17th Street, N.W., Suite 400 Washington, DC 20036

Tom W. Davidson, Esq. Akin Gump Strauss Hauer & Feld LLP 1333 New Hampshire Avenue, N.W. Suite 400 Washington, DC 20036

Barry A. Friedman, Esq. Thompson Hine LLP 1920 N Street, N.W. Suite 800 Washington, DC 20036-1600

*Rick Chessen, Esq.
Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

*Pam Blumenthal Media Bureau Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554 *Alan Aronowitz, Esq. Media Bureau Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554

Mary Kay McMahor

*By Hand Carry